

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION

NIGHT BOX  
FILED

SEP 11 2000

CLARENCE MADDOX  
CLERK, USDC / SDFL / ETL

WORLDNET COMPANIES, INC.,  
A Florida Corporation,

Plaintiff,

v.

CASE NO.: 00-6026 CIV-FERGUSON

KLELine, a Limited Company, a corporation  
incorporated under the laws of  
France; ABDALLAH HITTI, individually;  
AYHUB HITTI, individually;  
BANQUE PARIBAS S.A., a banking corporation  
incorporated under the laws of France;  
OCRAM EST., a Liechtenstein corporation; and  
MICHAEL BENDE, individually,

Defendants.

**PARIBAS' MOTION FOR EXTENSION OF TIME *NUNC PRO TUNC* AND RESPONSE  
TO PLAINTIFF'S MOTION TO STRIKE PARIBAS' MEMORANDUM IN OPPOSITION  
TO MOTION TO VACATE OR FOR RECONSIDERATION**

Defendant Paribas (formerly known as Banque Paribas), through undersigned  
counsel, hereby request a one day extension of time *nunc pro tunc* to file its  
Memorandum in Opposition to Plaintiff's Motion to Vacate Order and For  
Reconsideration and states the following:

1. Although the certificate of service contained in Plaintiff's Motion to  
Vacate Order and For Reconsideration alleges that the Motion was served via U.S. Mail  
on August 9, 2000, undersigned counsel never received a copy from Plaintiff. See  
Affidavit of Gina A. Dombosch attached hereto as Exhibit "1."

50

2. Counsel first discovered the existence of Plaintiff's Motion during a telephonic conference with KLELine's counsel on or about August 17, 2000. Id.

3. Paribas was advised by KLELine's counsel that a response to Plaintiff's Motion was due on or before August 28, 2000.

4. Paribas has since learned that due to a clerical error caused by the illegibility of Plaintiff's Certificate of Service, the deadline to respond to Plaintiff's Motion was incorrectly calculated. See KLELine's Affidavit and Response to Plaintiff's Motion to Strike.

5. Counsel ultimately obtained Plaintiff's Motion to Vacate through the PACER system. See Dombosch Affidavit at ¶ 3.

6. Since Paribas' position in response to Plaintiff's Motion was identical to that advanced by KLELine in its Memorandum and in order to avoid burdening the court with duplicative memoranda, Paribas simply filed a joinder to KLELine's Memorandum which was filed on August 28, 2000.

7. Paribas respectfully requests this Court grant a one day extension of time, *nunc pro tunc*, to file its Memorandum in Opposition to Plaintiff's Motion to Vacate Order or for Reconsideration.

8. Plaintiff has suffered no prejudice from this one day delay.

WHEREFORE, Paribas respectfully requests this Motion be, in all respects, granted, and for such other and further relief as this Court deems just and proper.

Respectfully submitted,

**WEIL, GOTSHAL & MANGES LLP**

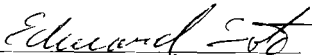
Attorneys for Defendants, Paribas

701 Brickell Avenue, Suite 2100

Miami, Florida 33131

Phone: (305) 577-3100

Fax: (305) 374-7159

By: 

Edward Soto (FBN 265144)

[edward.soto@weil.com](mailto:edward.soto@weil.com)

Gina A. Dombosch (FBN 0087343)

[gina.dombosch@weil.com](mailto:gina.dombosch@weil.com)

and

Irvin H. Warren, Esq.

**WEIL, GOTSHAL & MANGES LLP**

767 Fifth Avenue

New York, New York 10153

Phone: (212) 310-8000

Fax: (212) 310-8007

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. mail this 11<sup>th</sup> day of September, 2000 to

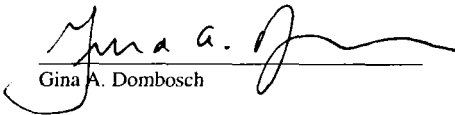
John C. Rayson, Esq.  
LAW OFFICE OF JOHN C. RAYSON  
2400 East Oakland Park Blvd  
Fort Lauderdale, Florida 33306

William McEachern, Esq.  
Attorney for Defendant KLELine  
WINTHROP, STIMSON, PUTNAM  
& ROBERTS  
125 Worth Avenue  
Palm Beach, Florida 33480

Mark R. Hellerer, Esq.  
Attorney for Defendant KLELine  
WINTHROP, STIMSON, PUTNAM  
& ROBERTS  
One Battery Park Plaza  
New York, New York 10004-1490

Lawrence K. Fagan, Esq.  
LAVALLE, BROWN, RONAN & SOFF, P.A.  
Attorney for OCRAM  
750 South Dixie Highway  
Boca Raton, Florida 33432

Leslie S. Osborne, Esq.  
FURR AND COHEN, P.A.  
Attorney for Defendant Michael Bende  
1499 West Palmetto Park Road, Suite 412  
Boca Raton, Florida 33486

  
Gina A. Dombosch

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION

WORLDNET COMPANIES, INC.,  
A Florida Corporation,

Plaintiff,

v.

CASE NO.: 00-6026 CIV-FERGUSON

KLELine, a Limited Company, a corporation  
incorporated under the laws of  
France; ABDALLAH HITTI, individually;  
AYHUB HITTI, individually;  
BANQUE PARIBAS S.A., a banking corporation  
incorporated under the laws of France;  
OCRAM EST., a Liechtenstein corporation; and  
MICHAEL BENDE, individually,

Defendants.

---

**AFFIDAVIT OF GINA A. DOMBOSCH**

STATE OF FLORIDA        }  
                                      }SS:  
MIAMI-DADE COUNTY     }

BEFORE ME, the undersigned authority, personally appeared GINA A.  
DOMBOSCH, who, after being duly sworn, deposes and says:

1. I am an associate attorney at Weil, Gotshal & Manges LLP, counsel for  
Paribas (formerly known as Banque Paribas). I submit this affidavit in support of  
Paribas' Motion for Extension of Time *Nunc Pro Tunc*.

2. While my name appears on the Plaintiff's Certificate of Service for its  
Motion to Vacate or for Reconsideration, I have never received a copy of Plaintiff's  
Motion. I have also determined that a copy was not received by anyone else in our office

while three attorneys are listed on the Certificate of Service, one of whom (Valerie Greenberg Itkoff) has not been employed with the firm for four months.


3. Our office first learned of the filing of this Motion during a conversation with Kline's counsel on or about August 17, 2000 and thereafter obtained a copy of Plaintiff's Motion through the PACER system.

FURTHER AFFIANT SAYETH NAUGHT.

  
GINA A. DOMBOSCH

STATE OF FLORIDA        }  
  }SS:  
MIAMI-DADE COUNTY    }

SWORN TO AND SUBSCRIBED before me this 9<sup>th</sup> day of September, 2000 by GINA A. DOMBOSCH, personally known to me to be the person described in and who executed the foregoing instrument, and she acknowledges before me that she executed the same freely and voluntarily for the purposes therein expressed, and he/she did take an oath.

  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires:

